

DCI/ICS 81-0120

11 SEP 1981

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence  
General Counsel

FROM:   
Acting Director, Intelligence Community Staff

SUBJECT: Proposed Annex B to DCID 1/14: Appeals Procedures

1. Action Requested: That you sign the attached memorandum to NFIC informing them of adoption of an appeals procedure in denial or revocation of SCI accesses as Annex B to DCID 1/14.

2. Background: The Security Committee was unable to resolve conflicting views on this subject with General Stilwell's office. Per Admiral Inman's instructions  contacted General Stilwell and secured his concurrence to a revised proposal prepared on guidance from the DDCI.

3. Points at issue and their resolution follow:

a. Personal appearance - the original version provided that an appellant could request a personal appearance to support his or her case. OSD and Navy objected to this as posing a potentially serious adverse impact for Defense. The revision drops all reference to the subject of personal appearance. This will not prevent any department or agency from agreeing to a personal appearance if it wishes to grant one.

b. Reasons for denial or revocation - the original version, based on SAFSS concerns, provided that a person whose access was denied or revoked could be given the "basis" for such action. OSD found this insufficient and sought more specificity. Their concern was accommodated by specifying that an individual could be provided "the reasons" for adverse action.

c. Notice of intent to deny/revoke before doing so - the original version provided for notice of actual denials/revocations. OSD sought advance notice of intent, leaving the person in possession of access while the issue was being resolved. SECOM argued that this represented a significant security risk. The DDCI concurred with SECOM. General Stilwell withdrew the OSD objection on this point.

4. Current Status: The text of the revised proposed appeals procedures, as concurred in by General Stilwell, is attached. It is acceptable to the General Counsel.

5. Recommendation: That you sign the attached memorandum to NFIC approving the revised appeals procedures and authorizing their issuance as Annex B to DCID 1/14.



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Attachment:  
Letter

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SECOM  (9/9/81)

(Revised by  9/11/81)

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